

Article - Real Property

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§13-502.

(a) After a patent is prepared by the Commissioner, if the Commissioner's certificate that the patent is proper to be issued is based on a final judgment for declaratory relief that was rendered in a proceeding referred to a circuit court under § 13-407 of this title or, except for an appeal that was taken under § 13-410(a)(1) of this title and in which the only contested issue was the purchase price established by the Commissioner in his final judgment, if the certificate is based on a final decision of court that was rendered in an appeal taken under § 13-410 of this title:

(1) The Commissioner immediately shall send the patent to the Governor for his signature;

(2) The Governor promptly shall sign the patent and cause it to be sealed with the Great Seal of the State of Maryland; and

(3) The patent shall be recorded:

(i) In the patent records of the Commissioner; and

(ii) In the land records for each county in which is located any portion of the land for which the patent was issued.

(b) (1) After a patent is prepared by the Commissioner, if the Commissioner's certificate is based on a final judgment that was rendered by the Commissioner in a proceeding heard by him under § 13-406 of this title, from which final judgment no appeal was taken, or if the Commissioner's certificate is based on a final decision of court that was rendered in an appeal taken under § 13-410(a)(1) of this title and in which the only contested issue was the purchase price established by the Commissioner in his final judgment:

(i) The Commissioner immediately shall send the patent to the Board of Public Works for its review; and

(ii) Unless the Board of Public Works, within 45 days after its receipt of the patent, rejects for cause the Commissioner's certificate that the patent is proper to be issued, the patent shall be signed, sealed, and recorded as provided for in subsection (a) of this section.

(2) If the Board of Public Works rejects for cause the Commissioner's certificate within the period specified in paragraph (1) of this subsection, the patent may not be issued and the applicant is entitled to reimbursement from the State of all reasonable expenses and reasonable attorney's and surveyor's fees incurred by the applicant in the application proceedings. The Board shall provide for payment of the reimbursement from funds available to it and make the reimbursement as soon as is practicable.

(c) The issuance of a patent under this title is not subject to the provisions of Title 10 of the State Finance and Procurement Article governing the sale or disposition of State property.

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